

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0693-19 **Applicant:** London & Cambridge Properties Limited

Proposal: Conversion of first and second floor from existing four-bed flat to form 2 one-bed flats, including associated alterations

Location: 20 Winsover Road Spalding

Terminal Date: 10th October 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing

National Guidance

National Planning Policy Framework 2019

Sections 5 & 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application for conversion of the first and second floor existing 4 bed flat to form 2 x 1 bed flats, including associated alterations at 20 Winsover Road, Spalding. The proposal seeks to provide new windows and doors. Works also include, the formation of a bin and bicycle storage

area, the formation of 2 roof terraces to serve the proposed flats, the installation of new stairs and walkways with 1.1 metre high railings and balustrades, as well as a 1.8 metre high enclosure and gates around roof terraces.

At ground floor level a bin store and external staircase with metal railings for flat access are to be sited. The first floor area will contain two roof terraces bordered by 1.8 metre high grey metal slatted privacy fences containing two bike racks. To the front of the site Flat 1 is located, and will contain a bedroom, bathroom and combined kitchen / dining and lounge area. Flat 2 will be located immediately above Flat 1 and will contain a bedroom, bathroom and combined kitchen / dining and lounge area. The building is considered to represent a non-designated community asset and the applicant has sought to keep all fenestration of timber construction, to help maintain and enhance the character of the building. Walls are to be rendered to match the front elevation of the building. A minor amendment has been made at ground floor level to amend the entrance location as the originally proposed entrance was immediately adjacent to an existing parking place.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is located in Flood Zone 3 on the Environment Agency Flood Maps and not subject to increased hazard or flood depth on the 2115 South East Lincolnshire Strategic Flood Risk Mapping. The ground floor of the building houses a Eastern European supermarket business.

History

H16-1299-00

Full - Change of use from A1 (retail) to amusement arcade - Approved - 10 January 2001.

H16-1334-02

Full - Change of use to Class A3 (food and drink) - Approved - 04 March 2003.

H16-0319-03

Full - Erect canopy - sample of material submitted - Refused - 12 August 2003.

H16-0735-08

Full - Proposed canopy to the front and side elevations - Refused - 18 August 2008.

H16-0163-10

Full - Replacement of wooden windows and door to rear elevation of flat with UPVC windows and door - Approved - 26 April 2010.

H16-1068-13

Full - Conversion of flat on first and second floor to form two flats - Refused - 05 February 2014

H16-0857-14

Full - Conversion of flat on first and second floor to form two flats - Refused - 15 January 2015

H16-0383-16

Full - Replacement shop frontage (retrospective) - Approved - 31 October 2016

H16-0827-16

Advertisement - Fascia signage (retrospective) - Approved - 31 October 2016

H16-0965-16

Consultation Responses

Member of the public - 1

Concerns with no parking provided.

Planning Considerations

- Principle of development
- Proposed layout & Impact on residential amenity
- Parking

Principle of development

The proposal site is within the defined settlement limits of Spalding which is the largest settlement in the district, therefore the principle of development of this site is considered acceptable.

Proposed layout and residential amenity

There are to be no extensions or alterations to the exterior of the building save for rendering to match the front elevation of the building. There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The proposed windows do not provide a new overlooking aspect, and the roof terrace will be bordered on all sides by a 1.8 metre high metal slatted fence. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the building or the surrounding area.

Parking

There is street parking available in Glenn Avenue which is adjacent to the pedestrian access to the west of the site.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5 & 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse

impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.